



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5292/1
Permit Holder:	Hamersley Iron Pty Ltd
Duration of Permit:	7 December 2012 - 30 September 2017

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of upgrading an access track

2. Land on which clearing is to be done

Lot 77 on Deposited Plan 220192, ROCKLEA

3. Area of Clearing

The Permit Holder must not clear more than 5.4 hectares of native vegetation within the area hatched yellow on attached Plan 5292/1.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the right to access land under the *Land Administration Act 1997* or any other written law.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. Weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

DEFINITIONS

The following meanings are given to terms used in this Permit:

fill means material used to increase the ground level, or fill a hollow;

mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

weed/s means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.

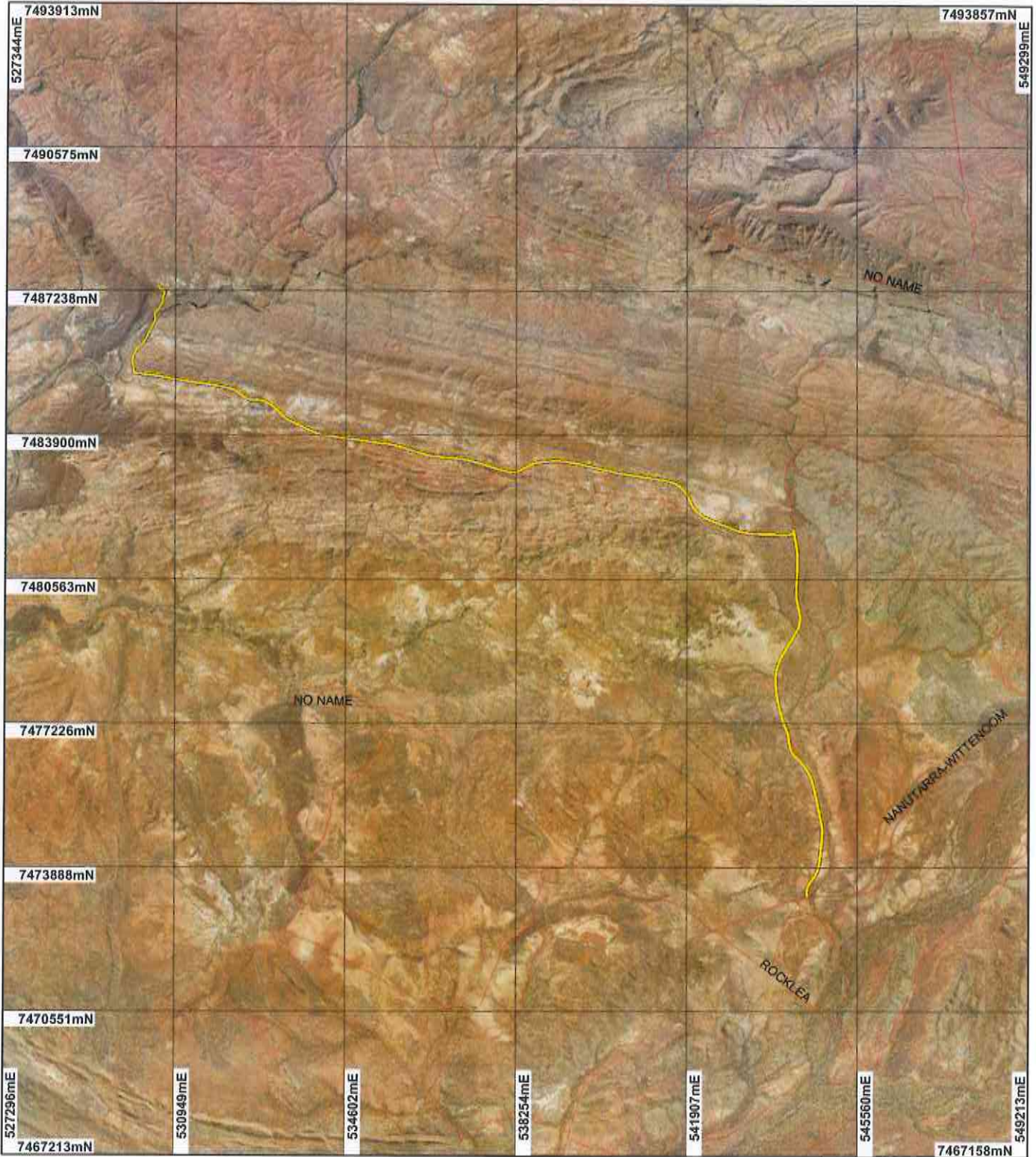


M Warnock
MANAGER, COMPLIANCE AND AUDIT SECTION
NATIVE VEGETATION CONSERVATION BRANCH

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

15 November 2012

Plan 5292/1



LEGEND

Road Centrelines
 Cadastre for labelling

Freehold
 Crown Reserve
 (cont)

State Forest / Timber Reserve
 Marine Park
 Crown Lease
 Lease / Reserve
 Lease on State Forest / Timber Reserve
 (cont)

Public Roads
 Unallocated Crown Land
 Water
Clearing Instruments
 Areas Approved to Clear

Rocklea 50cm Orthomosaic -
 Landgate 2004



Scale 1:122008

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

M Warnock Date *15/11/12*
 M Warnock

Officer with delegated authority under Section 20 of
 the Environmental Protection Act 1986

Information derived from this map should be
 confirmed with the data custodian acknowledged
 by the agency acronym in the legend.



Department of
Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 5292/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Hamersley Iron Pty Ltd

1.3. Property details

Property: PART LOT 77 ON PLAN 220192 (ROCKLEA 6751)
Local Government Area: Shire of Ashburton
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
5.4		Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 15 November 2012

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Mapped Beard vegetation association 568 is described as Hummock grasslands, shrub steppe; mulga & snakewood over <i>Triodia wiseana</i> (Shepherd et al, 2001).	The application is to clear up to 5.4 hectare of native vegetation along a 27km linear area for the purpose of access track upgrade	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	Condition and description of the vegetation was established from a flora survey undertaken in June 2009 (Rio Tinto 2009).
Beard vegetation association 567 is described as Hummock grasslands, shrub steppe; mulga & kanji over soft spinifex & <i>T. Basedowii</i> (Shepherd et al, 2001).	The area under application consists of 13 vegetation communities in a good to very good (Keighery 1994) condition including 7 communities occurring on slopes, 1 community occurring on rolling hills, 3 communities occurring on plains and floodplains and 2 communities occurring along creeklines (Rio Tinto 2009).	To Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	
Beard vegetation association 162 is described as Shrublands; snakewood scrub (Shepherd et al. 2001).			

3. Assessment of application against clearing principles

Comments

The application is to clear up to 5.4 hectares of native vegetation along a 27km linear area for the purpose of upgrading an access track and is unlikely to have any significant environmental impacts. The vegetation is considered to be in a good to very good (Keighery, 1994) condition and consists of 13 vegetation communities (Rio Tinto 2009).

There are no priority or threatened ecological communities in the vicinity of the project. The vegetation to be cleared is well represented in the local area (95 per cent), and therefore would not have a detrimental impact on fauna habitat.

As the clearing consists of 5.4 ha over a 27 km linear area and the local area (10 km radius) is highly vegetated (95 per cent), it is unlikely for the proposed clearing to impact on nearby conservation areas, cause or exacerbate land degradation or flooding or impact on water quality.

A number of populations of a priority 3 flora species have been recorded within the application area (Rio Tinto 2009). This species is relatively common in the area, but over a narrow range (DEC 2012). The species was found at 5 sites surrounding or within the application area in two general locations, with population estimates at each site ranging from uncommon (1) to common (200) (Rio Tinto 2009). It is unlikely that the clearing will

remove all plants in the larger populations, but it is a possibility in the smaller populations. As the larger populations will remain, it is not considered for the proposed clearing to significantly impact on the conservation status of this species. As the application area contains priority flora species it may contain a high level of biodiversity and the proposed clearing may be at variance to Principle (a). Avoid and minimise, and weed management measures will reduce this impact.

The flora survey of the application area also found a population of a new flora species in close proximity to the application area (Rio Tinto 2009). The applicant has provided an exclusion zone around this species which is considered sufficient in protecting this species from impacts of the proposed clearing.

Numerous watercourses occur within the application area and small portions of the vegetation under application consist of watercourse dependent vegetation (Rio Tinto 2009). Therefore, the proposed clearing is at variance to principle (f). Given the size of the proposed clearing (5.4ha over a 27km linear area) this impact is considered to be minor.

The assessment of the application identified that the clearing is at variance to principle (f), may be at variance to principle (a) and is not likely to be at variance to the remaining clearing principles.

Methodology

References

- DEC (2012)
- Rio Tinto (2009)
- Keighery (1994)
- GIS Databases
- GIS Databases (25 October 2012)
- Pre-European vegetation
- DEC Managed Lands
- Hydrography, linear

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The application is to clear up to 5.4 hectares of native vegetation along a 27km linear area for the purpose of upgrading an access track.

Department of Water (2012) advised that the application area lies within a proclaimed area under the Rights in Water and Irrigation Act 1914 and that any taking or diversion of surface water in this proclaimed area for purposes other than domestic and/or stock watering is subject to licence by the Department of Water. Any interference with the bed and banks of a watercourse in this proclaimed area may require a permit from Department of Water.

Numerous watercourses intercept the clearing area and therefore it is likely that a bed and banks permit from Department of Water is required.

Department of Regional Development and Lands (RDL) (2012) has advised that as the owner of crown land subject to this clearing application, they do not object to Hamersley Iron Pty Ltd undertaking the proposed clearing on Rocklea Station.

No public submissions have been received.

Numerous Aboriginal sites of significance occur within the application area. It is the applicant's responsibility to ensure that they are compliant with their obligations under the Aboriginal Heritage Act 1972.

A native title claim exists over the area under application. The Ngarlawangga people native title claimants, Puutu Kunti Kurrama and Pinikura 2 native title claimants and their representative bodies have been notified of the clearing application. No comments have been received.

The area under application is zoned rural under the local town planning scheme.

Methodology

References

- Department of Water (2012)
- Department of Regional Development and Lands (2012)
- GIS Databases
- Aboriginal Sites of Significance
- Town Planning Scheme Zones

4. References

DEC (2012) Priority Flora Advice for CPS 5292/1 - Hamersley Iron Pty Ltd. DEC ref A563074

Department of Regional Development and Lands (2012) Direct Interest Submission for CPS 5292/1 - Hamersley Iron Pty Ltd.

DEC ref A564057

Department of Water (2012) Direct Interest Submission for CPS 5292/1 - Hamersley Iron Pty Ltd. DEC ref A563164

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Rio Tinto (2009) Botanical Survey for an Upgrade and Re-alignment of the Rocklea Pastoral Station Road to Beasley River and Supporting Document to a Native Vegetation Clearing Permit. DEC ref A550668

Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.

5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)